

In the Claims:

Please cancel claim 16 as follows:

1. (Previously presented) A disk cartridge comprising:

a data storage disk including a recording portion and a non-recording portion;

a casing including an inner space for accommodating the disk, the casing including an inner surface facing the disk;

an anti-static layer provided on the inner surface of the casing for eliminating static electricity generated on the disk; and

an elastic member provided on the inner surface of the casing for contact with the non-recording portion of the disk;

wherein the elastic member assumes a non-deformed state for keeping the disk away from the anti-static layer, the elastic member also assuming an elastically deformed state for allowing the disk to move into contact with the anti-static layer.

2. (Previously presented) The disk cartridge according to claim 1, wherein the casing is formed with an opening communicating with the inner space, the anti-static layer being formed in a disk-facing region on the inner surface and avoiding the opening.

3. (Original) The disk cartridge according to claim 2, further comprising a shutter and a hub, the shutter being slidable on the casing between a close position and an

open position for selectively closing the opening of the casing, the hub being attached to a center of the disk, the hub coming into contact with the shutter in the close position so that the disk is spaced from the anti-static layer.

4. (Original) The disk cartridge according to claim 3, wherein the hub is provided with a magnetic member.

5. (Original) The disk cartridge according to claim 1, further comprising a conductive member provided on an external surface of the casing, the conductive member being connected to the anti-static layer.

6. (Previously presented) A disk apparatus for managing data with respect to a disk cartridge, the cartridge including a data storage disk including a recording portion and a non-recording portion, a hub attached to the disk, a casing for accommodating the disk, an anti-static layer for eliminating static electricity generated on the disk, and an elastic member provided on the casing for contact with the non-recording portion of the disk, the disk apparatus comprising:

a disk drive into which the disk cartridge is inserted;

a rotatable holder that is detachably fixed to the hub of the disk and rotates the disk;

an actuator that causes the holder and the casing to approach and recede from each other; and

a controller that manages the holder and the actuator;

wherein the controller causes the actuator and the holder to move the disk between a non-discharge position and a discharge position, the elastic member assuming a non-deformed state for keeping the disk away from the anti-static layer in the non-discharge portion of the disk, the elastic member also assuming an elastically deformed state for allowing the disk to move into contact with the anti-static layer in the discharge position of the disk.

7. (Original) The disk apparatus according to claim 6, wherein the controller causes the actuator to move the holder to a rotatable position where the disk and the anti-static layer are spaced enough to allow the disk to rotate freely.

8. (Original) The disk apparatus according to claim 6, wherein the controller causes the actuator to move the holder to an eject position where the disk cartridge is ejectable from the disk drive.

9. (Original) The disk apparatus according to claim 6, wherein the disk drive is provided with a ground terminal held at a ground potential, the ground terminal

coming into contact with a conductive member provided on the disk cartridge when the cartridge is inserted into the disk drive.

10. (Original) The disk apparatus according to claim 6, wherein the controller causes the holder to rotate through an angle so that all recording area of the disk is discharged.

11. (Original) The disk apparatus according to claim 6, wherein the elastic member is brought into contact with the disk when the disk is rotating at a rate lower than a predetermined threshold.

12. (Original) The disk apparatus according to claim 6, further comprising a discharge on/off switch for selectively causing the disk to contact with the anti-static layer.

13. (Original) The disk apparatus according to claim 6, wherein the controller causes the actuator to move the holder for bringing the disk into contact with the anti-static layer when the disk is inserted into the disk drive.

14. (Original) The disk apparatus according to claim 6, wherein the controller causes the actuator to move the holder for bringing the disk into contact with the anti-static layer when the disk is about to be ejected from the disk drive.

15. (Original) The disk apparatus according to claim 6, wherein the holder is disposed opposite to the anti-static layer with respect to the disk.

16. (Cancelled)